

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHARLES BELLON,	:
Petitioner	:
v.	: Case No. 3:22-cv-44-WSS-KAP
MORRIS HOUSER, Superintendent,	:
S.C.I. Benner,	:
Respondent	:

Memorandum Order

In February 2025 I noted that it would be appropriate to lift the stay in this matter when petitioner's parallel federal and state challenges to his conviction and sentence were final. ECF no. 38. Respondent indicates that has now happened. ECF no. 45. Accordingly, petitioner's motion to reopen at ECF no. 42 is granted. The respondent shall file a response to the petition on or before July 10, 2025.

The petitioner's motion for transcripts, ECF no. 41, is denied without prejudice. Petitioner wants transcripts of oral argument at the Court of Appeals: he can seek them from the Court of Appeals. Habeas Rule 5 gives this court the power to order the production of transcripts but petitioner's hope that the requested transcripts contain something he can use does not provide a reason for the court to take over chores counsel would normally perform. Pliler v. Ford, 542 U.S. 225, 231 (2004), *citing* McKaskle v. Wiggins, 465 U.S. 168, 183–184 (1984) and Martinez v. Court of Appeal of Cal., Fourth Appellate Dist., 528 U.S. 152, 162 (2000).

The parties have the right to appeal within 14 days from this nondispositive Order under Rule 72(a) and 28 U.S.C. § 636(b)(1)(A).



DATE: April 10, 2025

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Keith A. Pesto,  
United States Magistrate Judge

Notice to counsel of record by ECF and by U.S. Mail to:

Charles Bellon FN-8112  
S.C.I. Somerset  
1590 Walters Mill Road  
Somerset, PA 15510